

GOVERNMENT OF TELANGANA
A B S T R A C T

Public Services – I & CAD Department – Sri Md. Sadiq Ali Khan, Technical Officer (Retd.) – Delay in issuing no dues certificate to Sri V. Satyanarayana, Assistant Engineer (Retd.) – Disciplinary action initiated – Enquiry Conducted – Imposing a penalty of cut in pension amounting to 1% for a period of five years under Rule 9 of A.P. Revised Pension Rules, 1980 – Orders Issued.

=====

IRRIGATION & CAD (VIG.II.2) DEPARTMENT

G.O.MS.No. 78

Dt: 04.05.2015

Read the following:

1. From the ENC(AW) I & CAD Dept. Lr.No. Rc/ENC/ SII (1) 40741 / 2006, Dt: 23.08.2006.
2. Govt. Memo.No.518/Ser.X.1/2007-3,Dt: 30.10.2008.
3. From the ENC(AW) I & CAD Dept., Proc.No. ENC/S.II (1) / 40741/2006, Dt: 12.03.2009.
4. From the ENC(AW) I & CAD Dept., Memo. No. ENC/S.II (1) /40741/2006, Dt: 12.03.2009
5. From the ENC(AW) I & CAD Dept., Lr.No. ENC/S.II (1)/40741/2006, Dt: 11.03.2011
- 6 . Govt. Memo.No.518/Ser.X.1/2007-14,Dt: 06.08.2011.
7. From Sri Md. Sadiq Ali Khan Technical Officer (Retd.) representation, dt: 03.01.2012.
8. Govt. Memo.No.518/Vig.II.2/2007-22, Dt: 08.10.2014
9. From Sri Md. Sadiq Ali Khan, Tech. Officer (Retd.) representation Dt: 26.11.2014
10. Govt. Lr.No.518/Vig.II.2/2007-26, Dt:30. 01.2015
11. From the Secretary, TSPSC, Lr.No. 17/RT/TSPSC/2015, Dt: 09.04.2015

&&&

O R D E R:

In the reference 1st read above, the Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department, Hyderabad has reported that Sri Md. Sadiq Ali Khan, Technical Officer (Retd. on 31.01.2006) office of the Executive Engineer, I & CAD Department, Irrigation Division, Bhadrachalam along with (3) others are responsible for the delay in settlement of Gratuity amount in respect of Sri V. Satyanarayana, Assistant Engineer (Retd.) which resulted in releasing the withheld amount and interest on delayed payment of gratuity as per Hon'ble APAT Orders. The Engineer-in-Chief (Admn.Wing), I & CAD Department, Hyderabad has initiated disciplinary action against Sri Md. Sadiq Ali Khan, Technical Officer (Retd.), Irrigation Division, Bhadrachalam for the above lapse by way of issuing Articles of charge.

Contd. Page. 2.

//2//

2. In the reference 2nd read above, the Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department, Hyderabad has been directed to appoint an Inquiry Officer for conducting a detailed inquiry in to the charge framed against Sri Md. Sadiq Ali Khan, Technical Officer (Retd.) and (3) others.

3.. In the reference 3rd read above, the Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department has appointed the Superintending Engineer, Irrigation Circle, Warangal as Inquiry Officer to conduct a detailed inquiry in to the charge framed against Sri Md. Sadiq Ali Khan, Technical officer (Retd.) and (3) others.

4. In the reference 5th read above , the Engineer-in-Chief (Admn.Wing), Irrigation & CAD Dept., Hyderabad while submitting the Inquiry Officer's report, among other things has stated that the charge framed against the Charged Officer Sri Md. Sadiq Ali Khan, Technical Officer is held as not proved.

5. Government have examined the inquiry report and it has been decided to disagree with the findings of the Inquiry Officer on the following reasons:

Whenever information / directions are furnished to the superior /subordinate officers as the case may be, the draft of the letter / memo. is approved by the head of the office. As a means of convenience and to lessen the burden of the officer, especially in the case of directions to the subordinate offices, the fair copy is signed by the section in-charge as the HD (Technical Officer) or DAO, as the case may be, endorsing the abbreviation "tcfbo" (true copy forwarded by order). This implies that this is a true copy of the letter approved by the officer. Whereas in the instant case the charged officer signed the memo. returning the bill to the "Deputy Executive Engineer" as tcfbo, without getting the draft approved by the competent approving authority. Where such approval is not obtained and there are oral instructions to send the directions to the subordinate offices in view of the urgency, the section head is required to sign forwarded by order and not 'tcfbo'. Hence the findings of the Inquiring Authority that the charge is not proved is against established norms and as such not acceptable.

6. In the reference 6th read above, the inquiry report along with the reasons for disagreement with the findings of the inquiry officer has been communicated to the Charged Officer, Sri Md. Sadiq Ali Khan, Technical Officer (Retd.) with a direction to submit his explanation, if any, thereon.

Contd.. page. 3.

//3//

7. In the reference 7th read above, Sri Md. Sadiq Ali Khan, Technical Officer (Retd.) has submitted his explanation.

8. After examination of the explanation, it has been provisionally decided to impose a penalty of cut in pension amounting to 1% for a period of five years under Rule 9 of AP Revised Pension Rules, 1980 against Sri Md. Sadiq Ali Khan, Technical Officer (Retd.), as his explanation is not convincing. Accordingly in the reference 8th read above, a show cause notice under Rule 9 of A.P.Revised Pension Rules, 1980 indicating the proposed punishment has been issued to Sri Md. Sadiq Ali Khan, Technical Officer (Retd.) with a direction to submit his representation if any thereon.

9. In the reference 9th read above, the Charged Officer, Sri Md.Sadiq Ali Khan, Tech.Officer (Retd.) has submitted his representation.

10. After careful examination of the entire matter it has been decided to impose the penalty of cut in pension amounting to 1% for a period of five years against Sri Md. Sadiq Ali Khan, Technical Officer (Retd.). Accordingly, Government hereby order to impose the penalty of cut in pension amounting to 1% for a period of five years against Sri Md. Sadiq Ali Khan, Technical Officer (Retd.). A copy of the reference 11th read above in which the Secretary, TSPSC, Hyderabad has been communicated the concurrence of the Commission for imposing the penalty of cut in pension amounting to 1% for a period of five years against Sri Md. Sadiq Ali Khan, Technical Officer (Retd.) is herewith enclosed.

10. The Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department, Hyderabad, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri Md. Sadiq Ali Khan, Technical Officer (Retd.)
through the Engineer-in-Chief (Admn.Wing),
I & CAD Department, Hyderabad (w.e.)
The ENC(AW) I &CAD Department, Hyderabad
Copy to :
The Secretary, TSPSC, Hyderabad.
The Accountant General, Hyderabad
SC/SF

//FORWARDED :: BY ORDER//

SECTION OFFICER